

Regular Session, 2010

HOUSE BILL NO. 805

BY REPRESENTATIVE TIM BURNS

PRIVILEGES/LIENS: Provides relative to the notice of termination under the Private Works Act

1 AN ACT

2 To amend and reenact R.S. 9:4822(E)(2) and (4), relative to privileges under the Private  
3 Works Act; to authorize certain persons to sign a notice of termination of work; to  
4 provide for successors; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:4822(E)(2) and (4) are hereby amended and reenacted to read as  
7 follows:

8 §4822. Preservation of claims and privileges

9 \* \* \*

10 E. A notice of termination of the work:

11 \* \* \*

12 (2) Shall be signed by the owner or his representative, who contracted with  
13 the contractor; or, if the owner has conveyed the immovable, then it may also be  
14 signed by the new owner, or his representative.

15 \* \* \*

16 (4) Shall be conclusive of the matters certified if it is made in good faith by  
17 the owner, ~~or his representative,~~ or his successor.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Tim Burns

HB No. 805

**Abstract:** Authorizes, under the Private Works Act, the new owner or his representative to sign the notice of termination of work if the immovable has been conveyed.

Present law requires that the owner or his representative sign the notice of termination of work under the Private Works Act.

Proposed law retains present law, but also authorizes the new owner or his representative to sign the notice if the immovable has been conveyed.

Present law provides that a notice of termination of work shall be conclusive of the matters certified if it is made in good faith by the owner or his representative.

Proposed law retains present law but also includes matters certified in good faith by the successor to the owner.

(Amends R.S. 9:4822(E)(2) and (4))